

# MRS. CARMAN DIDN'T FIRE SHOT, SWEAR MEMBERS OF FAMILY

## FORCES OF THE ALLIES UNDER A HEAVY FIRE IN BATTLE ON COAST

**Paris War Office Admits That Fresh Troops Have Reached the German Line—Gains at Some Points, Losses at Others.**

PARIS, Oct. 23 [Associated Press].—The official announcement given out at the War Office this afternoon says:

"On our left wing the considerable German force whose presence was reported yesterday have continued very violent attacks in the entire region between the sea and the Canal of La Bassée.

"Generally speaking, the situation of the allied forces has been maintained. If the allies have had to cede at certain points they have advanced at others. The enemy also has evidenced very great activity in the region of Arras and on the River Somme. To the north and to the south of this stream we have progressed, particularly in the region of Rosieres.

"In Santerre, in the region of Verdun and in the region of Pont-a-Mousson, we have had some partial successes. On the rest of the front there is nothing to report.

"To sum up: The enemy appears to be undertaking along the major part of the front, and particularly between the North Sea and the Oise, new effort, making use of corps made up of new organizations. These are composed of men recently drilled, some of them very young and others of middle age, and have staffs drawn from various corps of the army."

## Enemy Retreating Along Whole Line, Says the Berlin War Office

WASHINGTON, Oct. 23 [United Press].—A wireless despatch from the Berlin Foreign Office says:

"The enemy is slowly retreating along the whole front." It adds that eleven British warships are supporting the allies.

"The enemy was repulsed east of Dixmude," the report says. "Our troops also have advanced in the direction of Ypres. There is stubborn fighting west and northwest of Lille.

"Fierce attacks from the direction of Toul against the heights south of Thioncourt were repulsed under the heaviest losses for the French."

LONDON, Oct. 23 [United Press].—A despatch from Paris to Reuters' Telegram Company says that according to trustworthy accounts received at the French capital this morning fresh troops brought up by the Germans have enabled them to deliver attacks with increased vigor on the French right wing.

Sir John Cavendish, brother of the Duke of Devonshire, has been killed in action.

(Lord John Cavendish, D. S. O., was a captain in the First Life Guards at the opening of the Boer war. He was appointed divisional signalling officer of the Second Infantry Division and was frequently mentioned in despatches for bravery in action. He was awarded the Distinguished Service Order and the medal with six clasps for his bravery in that war.)

## German Line Is Reported Cut Between Bruges and Ghent

THE HAGUE, Oct. 23 [United Press].—Reports reaching here declare that the allies have succeeded in cutting the German communications between Bruges and Ghent.

PARIS, Oct. 23. [United Press].—The Germans are reported to-day to have withdrawn their advanced line eastward from Mariakerke and Middelkerke because of the fire of the British monitors. They have heavily entrenched themselves east of the main highway that connects Ostend and Nieuport and have also fortified the line from Willekerke southeast to Thorout. The new German headquarters in the north is reported to be at Uhelsteele.

## JANITOR'S CHILDREN TO GET RICHES LEFT BY BOWERY RECLUSE

Their Mother a Daughter of the Odd Late Dudley Jardine.

ESTATE WORTH \$200,000.

Man Who Left It Lived Miserably From Home and Family for Thirty Years.

There are five children romping with joy to-day around a smiling woman of middle age in a rear apartment at No. 109 University place, and their lives hereafter will be blessed with the good things of life, while only yesterday they were the children of a poor janitor.

No wonder the woman smiles. She is Mrs. Anita Faithful McCarthy, and by a settlement out of court to-day she and her children are to share largely in the \$200,000 estate left by her father, Dudley Jardine, who as "William Smith" lived the life of a recluse on the Bowery. He died in January of this year, and but for the intervention of one of his Bowery cronies would have been buried in Potter's Field.

Details of the settlement could not be obtained from the lawyers in the case to-day, but on good authority it was learned that nearly half of the fortune has been given to Mrs. McCarthy. Final judgment establishing the authenticity of a will made by Jardine in 1899 was signed to-day by Justice Lehman as a result of the settlement.

When this will was filed Mrs. McCarthy began a contest, contending that her father had made a will in 1911 disposing of his fortune to his family. Unfortunately, however, it was learned that this will, which got into the possession of Col. Tate, a friend of Jardine's, had accidentally been burned in Atlanta, Ga. Through depositions taken in Georgia the existence of the will was proved and the trial of a second contest instituted by Mrs. McCarthy would have begun this term in the Supreme Court. The settlement does away with the trial.

Thirty years ago Dudley Jardine, son of a millionaire organ builder, dropped out of sight, leaving behind him a family well known in society and very rich. He adopted the name of William Smith, and spent most of his years in cheap Bowery lodging houses. As William Smith, he enlisted in the civil war and served until his death. After the war he married Anita Blackwell, but lived away from her most of the time, explaining that he was doing private detective work.

While he was living this dual life the child Anita Faithful Smith was born, and shortly afterward Jardine left the little family and took up his abode in a lodging house that was torn down to make way for the Manhattan Bridge. He moved to No. 51 Bowery, and his family did not see him until, during a parade of the Grand Army Veterans, he saw them and stepped out of the procession to talk to them. He disappeared again.

Shortly after her mother died, Mrs. McCarthy armed with photographs of her father, began a search for him. She was unsuccessful. She read one day of the death of William Smith and a few days later his will was

Mrs. Carman and Her Daughter Elizabeth As They Looked To-Day at the Murder Trial (Specially Posed for an Evening World Staff Photographer.)



## WILSON MAY USE POWER BY LAW TO ADJOURN CONGRESS

Constitution Gives Him Authority to End Filibuster Now Holding Both Houses.

WASHINGTON, Oct. 23.—All efforts to adjourn Congress since the failed to-day, and the Senate and House, by adjourning over to noon to-morrow, postponed the end of the session at least another day. Senate leaders hoped some arrangement could be made to pass the bank law amendments and the Cotton Warehouse bill, for which cotton States' members were filibustering without the necessary quorum to-morrow. In the House the cotton filibuster continued before a quorumless body until 1:15 P. M., when adjournment was taken to to-morrow.

During the Senate session Senator Clarke made a long speech on "the state of the Union." He told Southern Senators it was folly for them to insist on their cotton legislation.

Majority Leader Underwood of the House said he saw no prospects of (Continued on Fourteenth Page.)

## BRITISH HOLD ANOTHER AMERICAN STEAMER

Oil Tanker from Philadelphia Is at Falmouth, Probably Seized as War Prize.

LONDON, Oct. 23.—The American steamer Sun, owned by the Sun Oil Company of Philadelphia, which left that port Oct. 8 for Amsterdam, arrived to-day at Falmouth.

The fact that the Sun's destination was Amsterdam and that she has arrived at Falmouth may mean that she has been diverted from her course by the British naval authorities. She was built at Newport News in 1907 and is of 3,901 tons.

## WASHINGTON PROTESTS SEIZURE OF PLATONIA

WASHINGTON, Oct. 23.—Protests against the seizure by England of the Standard Oil tanker Platon, with a request for its immediate release was made to Great Britain this afternoon by the State Department. Acting Secretary of State Lansing announced.

John McCarthy, head of the little family upon which such good fortune has fallen, is a janitor at the New York Society Library.

## 500,000 FRESH TROOPS READY TO JOIN ARMY UNDER GEN. JOFFE.

LONDON, Oct. 23.—New forces are ready to join Gen. Joffe's armies, says a Bordeaux despatch to the Times. It continues:

## MRS. CARMAN BREAKS DOWN WHEN DAUGHTER GOES ON THE STAND

Doctor, Mother and Sister Corroborate Testimony of Woman on Trial for Her Life After Her Ordeal on Stand Is Ended.

## DICTOGRAPH CONVINCED HER DOCTOR WAS TRUE.

Defendant Defiant Under Cross-Examination, but Shows First Sign of Emotion as Child and Mother Give Testimony.

(Special From a Staff Correspondent of The Evening World.)  
MINEOLA, L. I., N. Y., Oct. 23.—For the first time since she was arrested for the murder of Mrs. Louise Bailey, Mrs. Florence Carman betrayed emotion to-day when her little daughter Elizabeth went on the witness stand to testify for the defense. Mrs. Carman, who had just finished the ordeal of undergoing the cross-examination of District-Attorney Smith, broke down when the name of Elizabeth Carman was called. She wept all the time the child was on the stand.

The cross-examination failed to shake Mrs. Carman's story in any important detail. Nor was her composure shaken when the District-Attorney questioned her minutely upon the state of her mind as to her husband. Many of the questions asked her were embarrassing, but she answered all without damaging her direct evidence.

Her daughter followed her on the stand when she was excused at 11:30 o'clock. Then followed Mrs. Conklin, her mother, and Mrs. Ida Powell, her sister. Both swore that she was upstairs in her room in Dr. Carman's residence when Mrs. Bailey was shot in the office on the ground floor.

Dr. Carman was called to the stand this afternoon. He repeated his story of the killing—how Mrs. Bailey was going toward the door when the window was smashed and a hand appeared holding a revolver. He said he phoned to Dr. Runie first. He said he didn't see his wife in his office that night.

## MRS. CARMAN SMILES ON THE STAND.

Mrs. Carman's cross-examination began at the opening of court to-day. As she took her seat in the witness chair she smiled on the Judge, the jury and the spectators and composed herself as though for a pleasant chat. This attitude, however, did not endure for long.

Something in Mr. Smith's very quiet and restrained manner, seemed to jar her easy and communicative attitude at the very start, and she straightened back, squaring her shoulders across the back of the witness chair, gripping the arms with her hands, but occasionally raising her right hand to her lips.

Q. You said you were suspicious of your husband? A. Yes.  
Q. When did suspicion arise? A. About a year ago.  
Q. Was it in regard to his relation to a woman? A. It was a rumor but not about a woman.  
Q. Was it in your house? A. No, in a private house, but I can't say definitely when the rumor came to me.  
Q. Was it at Mrs. Sutherland's house? A. It might have been.  
Q. Did she ever ask Dr. Carman in your presence about his girls? A. No.  
Q. Did Mrs. Mack ask him about them? A. I don't remember, but some of the men were always saying things of that kind.  
Q. Do you recall a single man who said them? A. No, I wouldn't put it on any one.  
Q. Was it Mr. Mack? A. I don't recall. It might have been.  
When she began trying to remember the names of her husband's social friends she kept her brows, leaned forward on the ledge of the